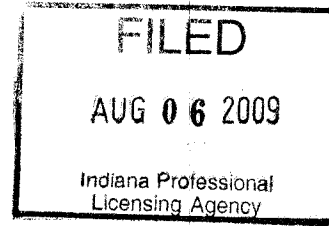


BEFORE THE INDIANA STATE
BOARD OF NURSING
CAUSE NUMBER: 2009 NB 137

IN THE MATTER OF THE LICENSE OF)

JACKI LYNN STOOPS, L.P.N.)
a.k.a. JACKI LYNN JACKSON, L.P.N.,)

LICENSE NO: 27047527A)
)



COMPLAINT

This complaint is brought against the nursing license of Jacki Lynn Stoops, L.P.N. a.k.a. Jacki Lynn Jackson, L.P.N. (“Respondent”), by the Office of the Attorney General, by counsel, Deputy Attorney General, Laura E. Wilford on behalf of the State of Indiana (“Petitioner”) and pursuant to Ind. Code §25-1-7-7, Ind. Code §25-1-5-3, Ind. Code §25-23-1-7 et seq., the Administrative Orders and Procedures Act, Ind. Code §4-21.5-3 et seq. and Ind. Code §25-1-9-1 et seq. and in support alleges and states:

FACTS

1. Respondent’s address on file with the Indiana Professional Licensing Agency is 1106 Penn Avenue, Apt. 1, Mishawaka, Indiana 46544 and she is a Licensed Practical Nurse in the State of Indiana having been issued license number 27047527A in 1999.

2. On or around June 13, 2005, Respondent began employment at Cardinal Nursing and Rehabilitation (“Cardinal”) located in South Bend, Indiana.

3. On or around August 16, 2005, Respondent’s employment with Cardinal was suspended pending investigation into allegations by resident S.P. that Respondent did not administer S.P.’s prescribed Vicodin or Oxycontin that was documented as administered. S.P. insisted that the writing and shape of the pills Respondent gave her

were different than her usual pills. In addition, S.P. stated that her pain did not subside like it did when she takes her usual pills. Respondent denied giving the patient anything other than what was prescribed.

4. On or around August 22, 2005, Respondent returned to work at Cardinal after her urine drug screen (“UDS”) results were returned negative.

5. On or around August 25, 2005, Respondent’s employment with Cardinal was again suspended pending investigation into allegations by two (2) residents that they did not receive their Vicodin. Resident A.S. insisted that she did not receive the Vicodin Respondent documented as administered and resident J.P. insisted that the Vicodin Respondent administered to him was not his usual Vicodin in that the pill did not dissolve in his mouth when he bit into it like it usually did.

6. On or around August 26, 2005, Respondent’s employment with Cardinal was terminated due to allegations that patients did not receive the Vicodin Respondent documented as administered.

7. On or around October 7, 2005, Respondent began employment at Healthwin Specialized Care (“Healthwin”) located in South Bend, Indiana.

8. On or around October 11, 2006, Respondent completed her Indiana nursing license renewal online and answered all questions no, including question number five (5) which asks, “Since you last renewed, have you ever been terminated, reprimanded, disciplined, or demoted in the scope of your practice as a Nurse or as another health care professional?”

9. On or around November 16, 2006, Respondent’s employment with Healthwin was terminated for falsification of documentation, questionable medication

practices including taking narcotics after an oxycodone tablet was discovered in Respondent's pocket. Respondent insisted she placed it there after dropping it on the floor and was just waiting on a witness to destroy the tablet.

10. On or around February 13, 2007, Respondent was charged in Elkhart Superior Court # 6 under cause number 20D06-0702-CM-00068 with Operating While Intoxicated Endangerment.

11. On or around February 23, 2007, Respondent contacted the Indiana State Nurses Assistance Program ("ISNAP").

12. On or around March 12, 2007, ISNAP received the results of Respondent's assessment from Richard Pipher, MSW, MAC from Oaklawn Psychiatric Center ("Oaklawn"). Respondent was diagnosed with anxiolytic and alcohol dependence as well as opioid and amphetamine abuse- rule out dependence.

13. On or around April 19, 2007, Respondent entered into a three (3) year Recovery Monitoring Agreement ("RMA").

14. On or around May 21, 2007, Respondent completed a job application with Advanced Correctional Healthcare, Inc. to work at Elkhart County Jail. Under the section titled, "Previous Employment," Respondent stated that her reason for leaving Healthwin was because she "got married, family obligation."

15. On or around May 29, 2007, Respondent began employment at Elkhart County Jail on behalf of Advanced Correctional Healthcare, Inc.

16. On or around August 13, 2007, Respondent's employment with Advanced Correctional Healthcare, Inc. was terminated due to incomplete forms, incorrect forms,

charging errors, attitude, incorrect abbreviation usage, missing glucometer checks, failing to order medication, medication errors, and failure to follow protocol.

17. On or around August 15, 2007, ISNAP received the report showing Respondent's August 2, 2007 urine drug screen ("UDS") was dilute with a creatinine of 0.14.

18. On or around November 2, 2007, ISNAP's quarterly compliance report showed Respondent in significant non-compliance.

19. On or around November 26, 2007, Respondent's RMA was extended for three (3) months.

20. On or around December 19, 2007, Respondent pled guilty to Operating While Intoxicated, a Class A Misdemeanor in Elkhart Superior Court # 6 under cause number 20D06-0702-CM-00068. Respondent was sentenced to one year in jail, suspended, one year reportable probation with fees, fines, and costs.

21. On or around January 23, 2008, ISNAP's quarterly compliance report showed Respondent in significant non-compliance.

22. On or around February 15, 2008, Respondent's RMA was extended for three (3) months. ISNAP informed Respondent that any further non-compliance would result in case closure.

23. On or around April 29, 2008, ISNAP's quarterly compliance report showed Respondent in significant non-compliance.

24. On or around May 23, 2008, ISNAP closed Respondent's file for non-compliance.

25. On or around October 27, 2008, Respondent renewed her Indiana nursing license online and answered no to all questions including questions number three (3) which asks, "Since you last renewed, have you been convicted of or pled guilty to a violation of federal or state law or are criminal charges pending?" Respondent also answered no to question number five (5) which asks, "Since you last renewed, have you ever been terminated, reprimanded, disciplined, or demoted in the scope of your practice as a Nurse or as another health care professional?"

26. On or around December 17, 2008, Respondent was given an unsatisfactory discharged from her criminal probation under charge number 20D06-0702-CM-00068 as her participation in the Community Service Restitution Program was terminated due to her failure to complete treatment through Oaklawn.

27. On or around May 1, 2009, Elkhart Superior Court #6 issued a mittimus as Respondent still had outstanding balance on her court financials.

COUNT I

1. Respondent violated Ind. Code §25-1-9-4(a)(4)(D) in that Respondent has continued to practice although she has become unfit to practice due to addiction to, abuse of, or severe dependency upon alcohol or other drugs that endanger the public by impairing Respondent's ability to practice safely as evidenced by Respondent's drug discrepancies while employed at Cardinal and Healthwin, Respondent's 2007 guilty plea for Operating While Intoxicated, Respondent's diagnosis of anxiolytic and alcohol dependence as well as opioid and amphetamine abuse- rule out dependence, and Respondent's non-compliance with ISNAP.

2. Respondent's violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT II

1. Respondent violated Ind. Code §25-1-9-4(a)(1)(A) in that Respondent engaged in or knowingly cooperated in material deception in order to obtain a license to practice as evidenced by Respondent's failure to disclose her suspension and termination from Cardinal on her 2006 Indiana nursing license renewal.

2. Respondent's violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT III

1. Respondent violated Ind. Code §25-1-9-4(a)(1)(A) in that Respondent engaged in or knowingly cooperated in material deception in order to obtain a license to practice as evidenced by Respondent's failure to disclose her termination from Healthwin and Advanced Correctional Healthcare, Inc. on her 2008 Indiana nursing license renewal.

2. Respondent's violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT IV

1. Respondent violated Ind. Code §25-1-9-4(a)(1)(A) in that Respondent engaged in or knowingly cooperated in material deception in order to obtain a license to practice as evidenced by Respondent's failure to disclose her 2007 guilty plea for Operating While Intoxicated on her 2008 Indiana nursing license renewal.

2. Respondent's violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT V

1. Respondent violated Ind. Code §25-1-9-4(a)(2)(A) in that Respondent has been convicted of a crime that has a direct bearing on Respondent's ability to practice safely as evidenced by Respondent's 2007 guilty plea for Operating While Intoxicated.

2. Respondent's violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT VI

1. Respondent violated Ind. Code §25-1-9-4(a)(1)(B) in that Respondent has engaged in material deception in the course of professional services or activities as evidenced by Respondent's statement on her employment application for Advanced Correctional Healthcare Inc. that her reason for leaving Healthwin was because she "got

married, family obligation,” when Respondent’s employment with Healthwin was terminated.

2. Respondent’s violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

COUNT VII

1. Respondent violated Ind. Code §25-1-9-4(a)(4)(B) in that Respondent has continued to practice although she has become unfit to practice due to failure to keep abreast of current professional theory or practice as evidenced by Respondent’s numerous narcotic discrepancies and mishandling while employed at Cardinal and Healthwin.

2. Respondent’s violation of Indiana law is cause for disciplinary sanctions which may be imposed singly or in combination such as censure, a letter of reprimand, probation, suspension, or a revocation of license, and a fine up to the amount of \$1000.00 per violation, as detailed at Ind. Code §25-1-9-9.

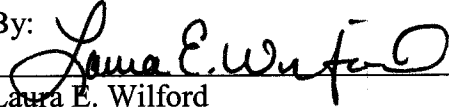
WHEREFORE, Petitioner demands an order against the Respondent that:

1. Imposes the appropriate disciplinary sanction;
2. Directs Respondent to immediately pay all costs incurred in the prosecution of this case; and;
3. Provides any further relief as the Board deems just and proper.

Respectfully submitted,

Gregory F. Zoeller,
Attorney General of Indiana

By:



Laura E. Wilford
Deputy Attorney General
Attorney No.: 24446-49

CERTIFICATE OF SERVICE

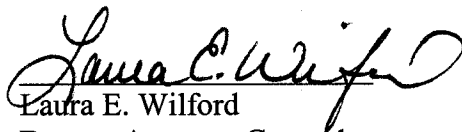
I certify that a copy of the "Complaint" has been duly served upon the Respondent listed below, by United States mail, first-class, postage prepaid, on this

6th day of August, 2009.

Jacki Lynn Stoops, L.P.N.
1106 Penn Avenue, Apt. 1
Mishawaka, IN 46544

And

Philip R. Skodonski
Attorney at Law
502 West Washington
South Bend, Indiana 46601


Laura E. Wilford
Deputy Attorney General
Attorney No.: 24446-49

OFFICE OF THE ATTORNEY GENERAL
Indiana Government Center South
302 West Washington Street, Fifth Floor
Indianapolis, IN 46204-2770
Telephone Number (317) 234-2600